



DEPARTMENT OF THE ARMY
JACKSONVILLE DISTRICT CORPS OF ENGINEERS
2170 SW Canal Street
Stuart, FL 34997

REPLY TO
ATTENTION OF

05 SEP 2007

Regulatory Division
Special Projects and Enforcement Branch
SAJ-2007-935(LP-AAZ)

Florida Department of Transportation, District 4
Attn: Georgi Celusnek
3400 West Commercial Boulevard
Fort Lauderdale, FL 33309

Dear Ms. Celusnek:

This is in reference to your request for a Department of the Army (DA) permit to perform work in or affecting waters of the United States. If you determine that the permit provided is acceptable in its entirety and you have chosen to proceed with the authorized activity, then upon recommendation of the Chief of Engineers, pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), you are authorized under a Letter of Permission to dredge 1951 cubic yards of material from the Miami Canal (C-6 Canal) under the State Road 80 bridge (Bridge Numbers 930016 and 930196). The dredged material will be placed and contained on the adjacent berms. The canal would be dredged to -10.5 feet below mean sea level. The project is located in waters of the United States in the Miami Canal south of Lake Okeechobee at the junction of State Road (SR 80) and Miami Canal Road, Sections 18, 19, 20, 21, 27, 28, 34, 35, and 36; Township 43 South; Range 35 East; Palm Beach County, Florida.

Geographic Position: Latitude: 26° 41' 45.12" North
Longitude: 80° 48' 23.58" West

The project must be completed in accordance with the ten enclosed construction drawings, and the general and special conditions which are incorporated in, and made a part of, the permit.

Special Conditions:

1. Submittals required herein shall be directed to:

Department of the Army
Jacksonville District Corps of Engineers
Regulatory Division, Enforcement Section
P.O. Box 4970
Jacksonville, Florida 32232-0019

2. Within 60 days of completion of the work authorized and any mitigation requirements, the attached "Self-Certification Statement of Compliance" shall be completed and submitted to the U.S. Army Corps of Engineers.

3. The permittee understands and agrees that, if future operations by the United States require the removal, relocation, or other alteration, of the structures or work herein authorized, or if in the opinion of the Secretary of the Army or his authorized representative, said structure or work shall cause unreasonable obstruction to the free navigation of the navigable waters, the permittee will be required, upon due notice from the Corps of Engineers, to remove, relocate, or alter the structural work or obstructions caused thereby, without expense to the United States. No claim shall be made against the United States on account of any such removal or alteration.

4. The permittee agrees to abide by the enclosed standard construction conditions designed to protect the endangered West Indian manatee.

5. The permittee shall notify the District Engineer's representative, at the Regulatory Division, Enforcement Section of:

- a. The date of commencement of work;
- b. The dates of work suspensions and resumption's if work is suspended over a week; and,
- c. The date of final completion.

6. The dredged spoil material and associated effluent shall be pumped to a self-contained temporary, bermed upland disposal site.

If the work authorized is not completed on or before 05 Sept 2012, authorization, if not previously revoked or specifically extended, shall cease and be null and void.

Instructions for Objecting to Permit terms and Conditions:

This letter contains an initial proffered permit for your proposed project/permit application. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by 05 NOV 2007.

It is not necessary to submit an RFA form to the Division office, if you do not object to the determination/decision in this letter.

Should you have any questions regarding this letter, please contact Alisa Zarbo by phone at 772-219-8418, by email at Alisa.A.Zarbo@saj02.usace.army.mil, or in writing at the letterhead address.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey:

Paul L. Grosskruger
Paul L. Grosskruger
Colonel, U.S. Army
District Engineer

Enclosures

Copy Furnished:
CESAJ-RD-PE (w/SOF & enclosures)

REQUEST PERMIT TRANSFER: PERMIT NUMBER: Regulatory Division
Special Projects and Enforcement Branch
SAJ-2007-935(LP-AAZ)

When the structures or work verified by this permit are still in existence at the time the property is transferred, the terms and conditions of this permit will continue to be binding on the new owner(s) of the property. To validate the transfer of this permit and the associated liabilities associated with compliance with its terms and conditions, the present permittee and the transferee should sign and date below. This document must then be provided to the U.S. Army Corps of Engineers, Regulatory Division, Post Office Box 4970, Jacksonville, Florida 32232-0019.

(PRESENT PERMITTEE SIGNATURE)

(DATE)

(TRANSFEREE SIGNATURE)

(DATE)

(Name - Printed)

Lot/Block of site

(Street Address)

(City, State, and Zip Code)

Flood Plain Information:

This Department of the Army permit does not give absolute authority to perform the work as specified on your application. The proposed work may be subject to local building restrictions. You should contact the local office in your area that issues building permits to determine if your site is located in a flood-prone or floodway area, and if you must comply with the local building requirements mandated by the National Flood Insurance Program. If your local office cannot provide you the necessary information, you may request a flood hazard evaluation of the site by providing this office with a letter and a small scale map showing the location of the site. The request should be addressed to the Chief, Flood Control and Floodplain Management Branch, Jacksonville District, U.S. Army Corps of Engineers, P.O. Box 4970, Jacksonville, Florida 32232-0019. Phone inquiries may be made at 904-232-2515.

GENERAL CONDITIONS
33 CFR PART 320-330
PUBLISHED FR DATED 13 NOVEMBER 1986

1. The time limit for completing the work authorized ends on the date noted in the permit letter. If you find that you need more time to complete the authorized activity, submit your request for a time extension to this office for consideration at least one month before the above date is reached.
2. You must maintain the activity authorized by this permit in good condition and in conformance with the terms and conditions of this permit. You are not relieved of this requirement if you abandon the permitted activity, although you may make a good faith transfer to a third party in compliance with General Condition 4 below. Should you wish to cease to maintain the authorized activity or should you desire to abandon it without a good faith transfer, you must obtain a modification of this permit from this office, which may require restoration of the area.
3. If you discover any previously unknown historic or archeological remains while accomplishing the activity authorized by this permit, you must immediately notify this office of what you have found. We will initiate the Federal and state coordination required to determine if the remains warrant a recovery effort or if the site is eligible for listing in the National Register of Historic Places.
4. If you sell the property associated with this permit you must obtain the signature of the new owner in the space provided and forward a copy of the permit to this office to validate the transfer of this authorization.
5. If a conditioned water quality certification has been issued for your project, you must comply with the conditions specified in the certification as special conditions to this permit. For your convenience, a copy of the certification is attached if it contains such conditions.
6. You must allow a representatives from this office to inspect the authorized activity at any time deemed necessary to ensure that it is being or has been accomplished in accordance with the terms and conditions of your permit.

AS-BUILT CERTIFICATION BY PROFESSIONAL ENGINEER

Submit this form and one set of as-built engineering drawings to the U.S. Army Corps of Engineers, Enforcement Section, Post Office Box 4970, Jacksonville, Florida 32232-0019. If you have questions regarding this requirement, please contact the Enforcement Section at 904-232-2907.

1. Department of the Army Permit Number: Regulatory Division
Special Projects and Enforcement Branch
SAJ-2007-935(LP-AAZ)

2. Permittee Information:

Name_____

Address_____

3. Project Site Identification:

Physical location/address_____

4. As-Built Certification:

I hereby certify that the authorized work, including any mitigation required by Special Conditions to the permit, has been accomplished in accordance with the Department of the Army permit with any deviations noted below. This determination is based upon on-site observation, scheduled and conducted by me or by a project representative under my direct supervision. I have enclosed one set of as-built engineering drawings.

Signature of Engineer

Name (Please type)

(FL, PR or VI) Reg. Number

Company Name

Address

City

State

ZIP

(Affix Seal)

Date

Telephone Number

Attach additional pages as necessary to identify deviations from the approved permit drawings and special conditions.

If the work authorized is not completed on or before 5 Sept 2012, authorization, if not previously revoked or specifically extended, shall cease and be null and void.

Instructions for Objecting to Permit terms and Conditions:

This letter contains an initial proffered permit for your proposed project/permit application. If you object to certain terms and conditions contained within the permit, you may request that the permit be modified. Enclosed you will find a Notification of Administrative Appeal Options and Process fact sheet and Request for Appeal (RFA) form. If you choose to object to certain terms and conditions of the permit, you must follow the directions provided in Section 1, Part A and submit the completed RFA form to the letterhead address.

In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria under 33 CFR Part 331.5, and that it has been received by the District office within 60 days of the date of the RFA. Should you decide to submit an RFA form, it must be received at the letterhead address by 05 NOV 2007.

It is not necessary to submit an RFA form to the Division office, if you do not object to the determination/decision in this letter.

Should you have any questions regarding this letter, please contact Alisa Zarbo by phone at 772-219-8418, by email at Alisa.A.Zarbo@saj02.usace.army.mil, or in writing at the letter head address.

The Corps Jacksonville District Regulatory Division is committed to improving service to our customers. We strive to perform our duty in a friendly and timely manner while working to preserve our environment. We invite you to take a few minutes to visit the following link and complete our automated Customer Service Survey:

SELF-CERTIFICATION STATEMENT OF COMPLIANCE

Permit Number: SAJ-2007-935(LP-AAZ)

Permittee's Name & Address (please print or type):

Telephone Number: _____

Location of the Work: _____

Date Work Started: _____ Date Work Completed: _____

Description of the Work (e.g. bank stabilization, residential or commercial filling, docks, dredging, etc.):

Acreage or Square Feet of Impacts to Waters of the United States:

Describe Mitigation completed (if applicable): _____

Describe any Deviations from Permit (attach drawing(s) depicting the deviations):

I certify that all work, and mitigation (if applicable) was done in accordance with the limitations and conditions as described in the permit. Any deviations as described above are depicted on the attached drawing(s).

Signature of Permittee

Date

**NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS AND
REQUEST FOR APPEAL**

Applicant: FDOT, District 4

File Number: SAJ-2007-935 (LP-AAZ)

Date: **05 SEP 2007**
See Section below

Attached is:

<input checked="" type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B
<input type="checkbox"/>	PERMIT DENIAL	C
<input type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	D
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	E

SECTION I: The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <http://usace.army.mil/inet/functions/cw/ceewo/reg> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit.

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Your objections must be received by the district engineer within 60 days of the date of this notice, or you will forfeit your right to appeal the permit in the future. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C: PERMIT DENIAL: You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

D: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information.

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice, means that you accept the approved JD in its entirety, and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

E: PRELIMINARY JURISDICTIONAL DETERMINATION: You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also you may provide new information for further consideration by the Corps to reevaluate the JD.

SECTION II - REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION

If you have questions regarding this decision and/or the appeal process you may contact:

Project Manager as noted in letter

If you only have questions regarding the appeal process you may also contact:

for process:

Stuart Santos 904-232-2018

for JD:

Michael F. Bell 404-562-5137

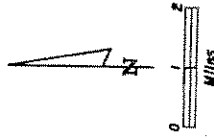
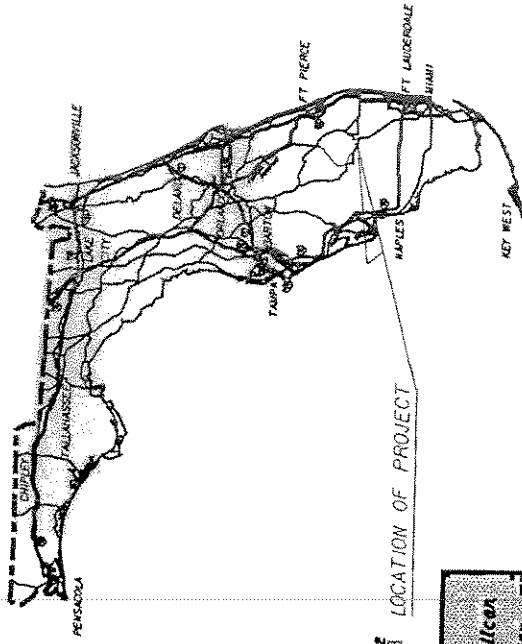
RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15 day notice of any site investigation, and will have the opportunity to participate in all site investigations.

Signature of appellant or agent.

Date:

Telephone number:

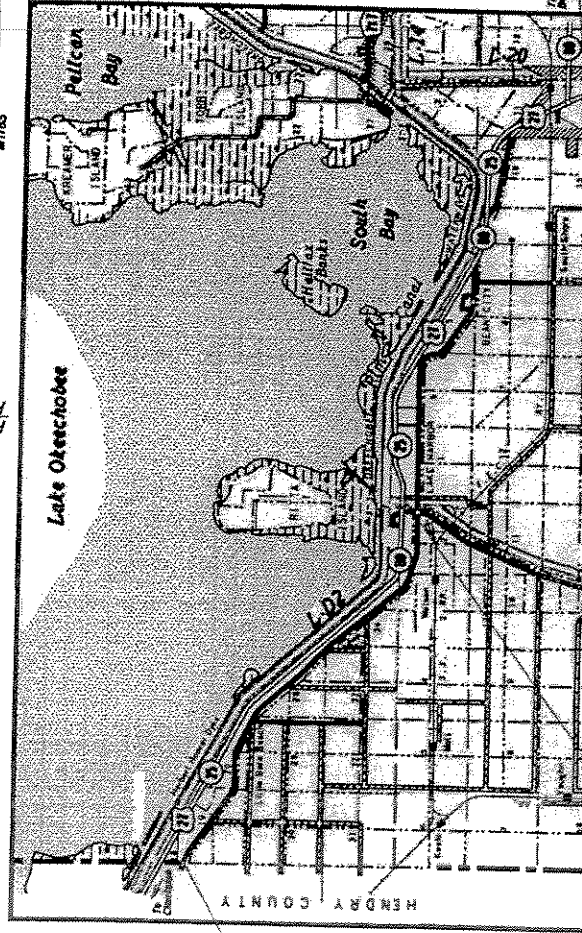
FINANCIAL PROJECT ID 413842-1-52-01 PROJECT LOCATION MAP STATE ROAD NO. 25 & 80 (US 27)



R-35-E
 R-34-E
 R-33-E

R-35-E
 R-34-E
 R-33-E

LOCATION OF PROJECT



END PROJECT
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 M.P. 12.503

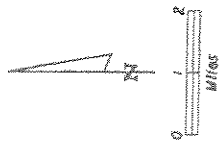
T-43-S
 T-44-S

DOT TYPE "R", CROSSING NO.
 RR MP 272319
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 FEC RAILWAY

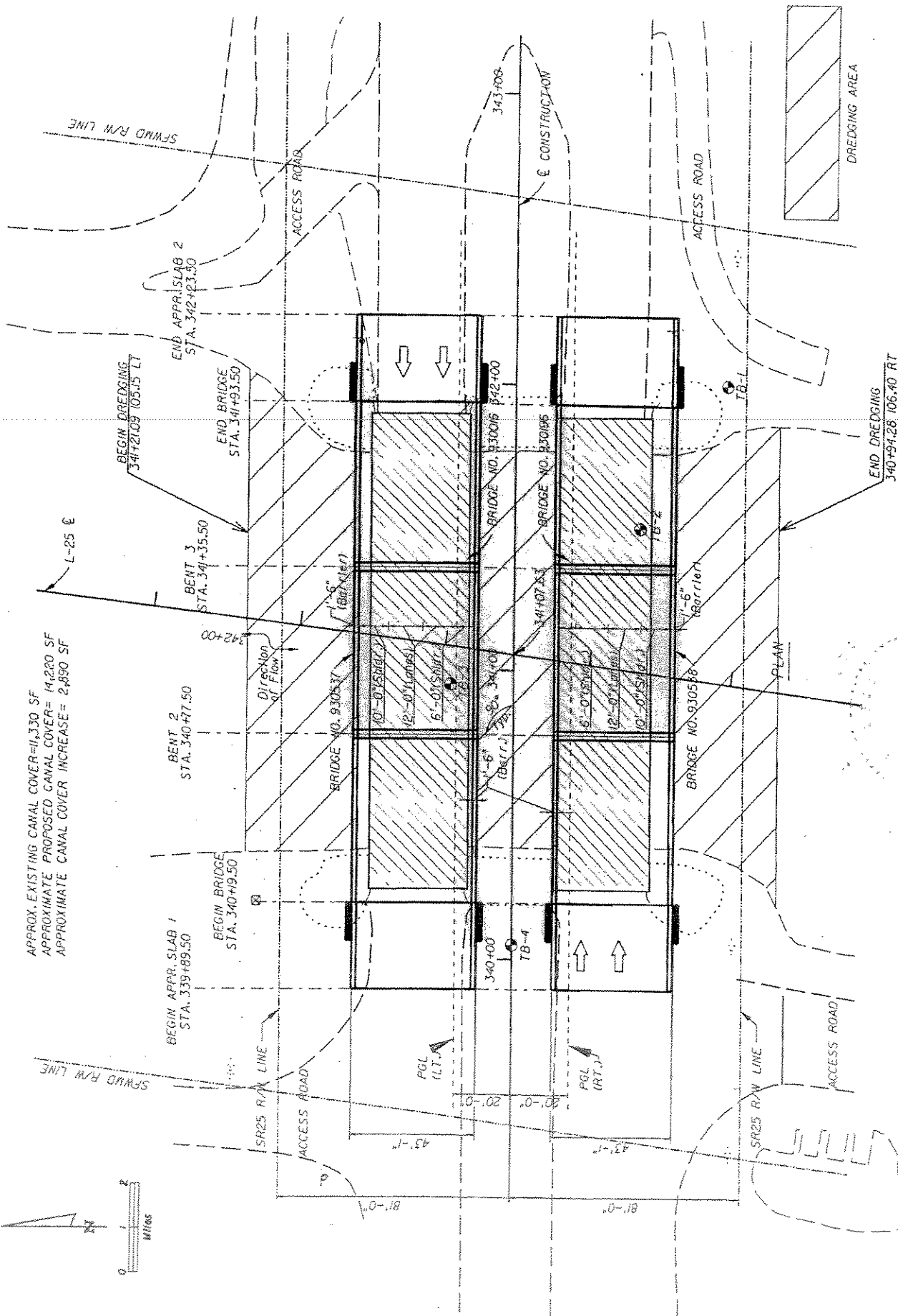
BEGIN PROJECT
 STA. 19+58.13
 M.P. 0.000

BRIDGE: 930537 / 930538
 FP ID NO: 414061-1-52-01
 BEGIN BRIDGE STA 340+19.50
 END BRIDGE STA 341+93.50

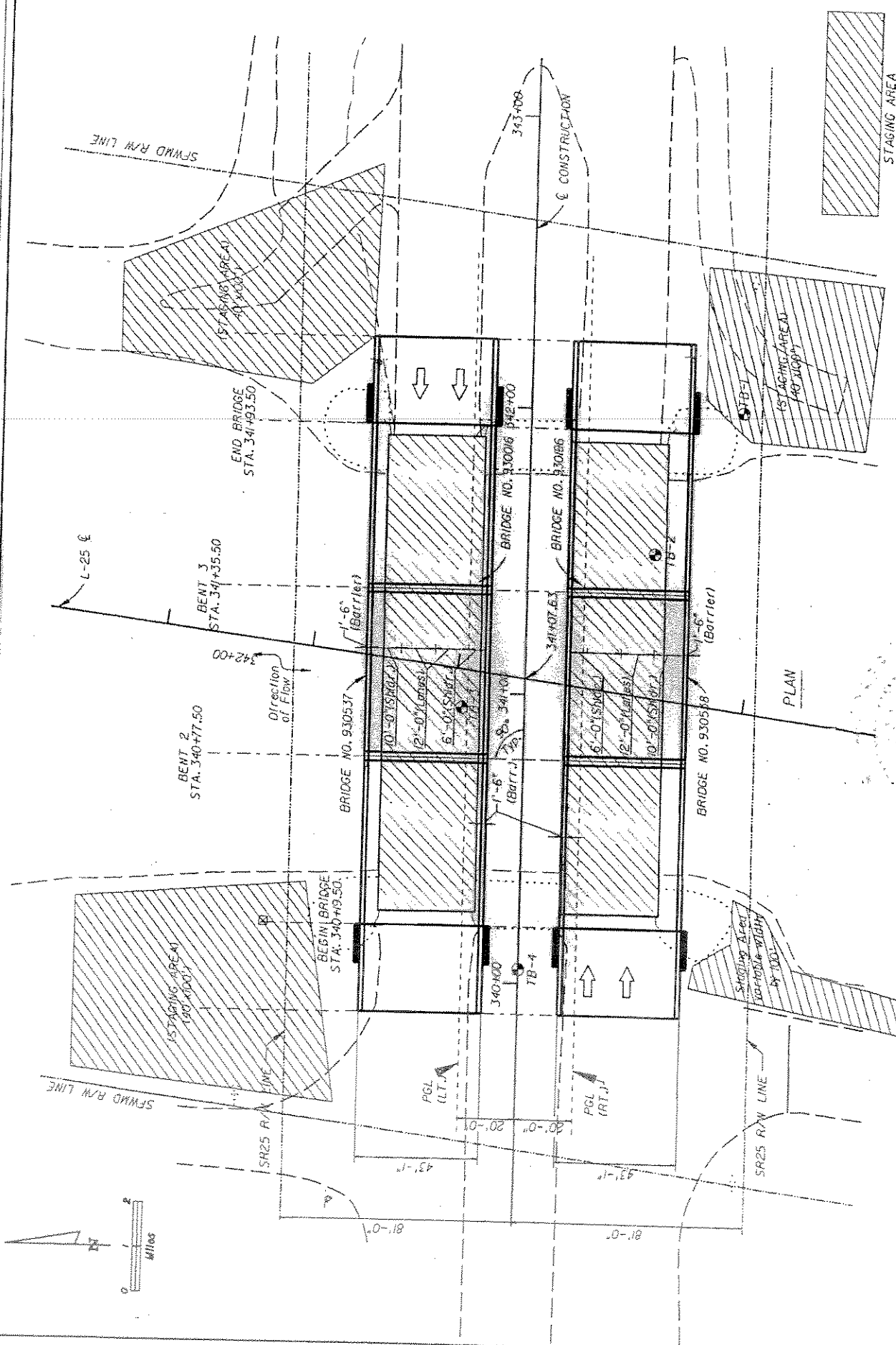
FLORIDA DEPARTMENT OF TRANSPORTATION NAME: BETSY JEFFERS, P.E. SIGNATURE: <i>Betsy Jeffers</i> CERTIFICATE NO. 50745		FINANCIAL PROJECT NO. 414061-1-52-01 COUNTY PALM BEACH DER CG COE WMO DATE: 01/12/07	
PROJECT DESCRIPTION SR-25 MILLING AND RESURFACING From Hendry County Line to North of SR 80		TWP: T-43-S SEC: 18-21, 27-28, 34-36 LAT: 26°41'45.12" N LONG: 80°48'23.58" W	



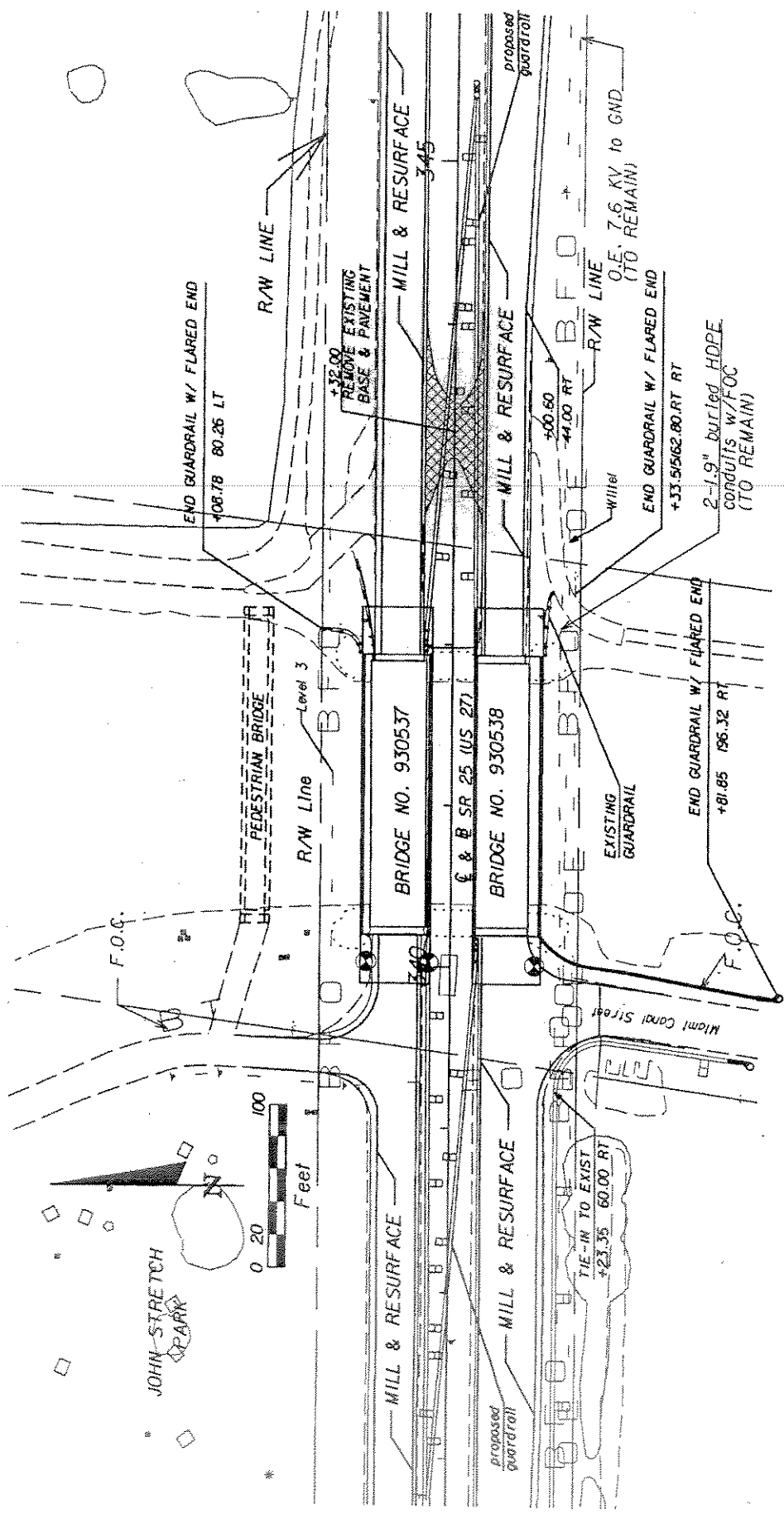
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 APPROXIMATE PROPOSED CANAL COVER= 14,220 SF
 APPROXIMATE CANAL COVER INCREASE= 2,890 SF



PROJECT DESCRIPTION		SR-25 - MILLING AND RESURFACING		FINANCIAL PROJECT NO. 414061-1-52-01	
From Hendry County Line to North of SR 80		COUNTY PALM BEACH		DER	
TN: T-43-S		RNG: R-35-E		CG	
SEC: 18-21, 27-28, 34-36		LAT: 26°41'45.12" N LONG: 80°48'23.58" W		WFO	
SIGNATURE <i>Betsy Jeffers</i>		DATE: 01/12/07		SHEET 2 OF 10	
CERTIFICATE NO. 50745				DATE	

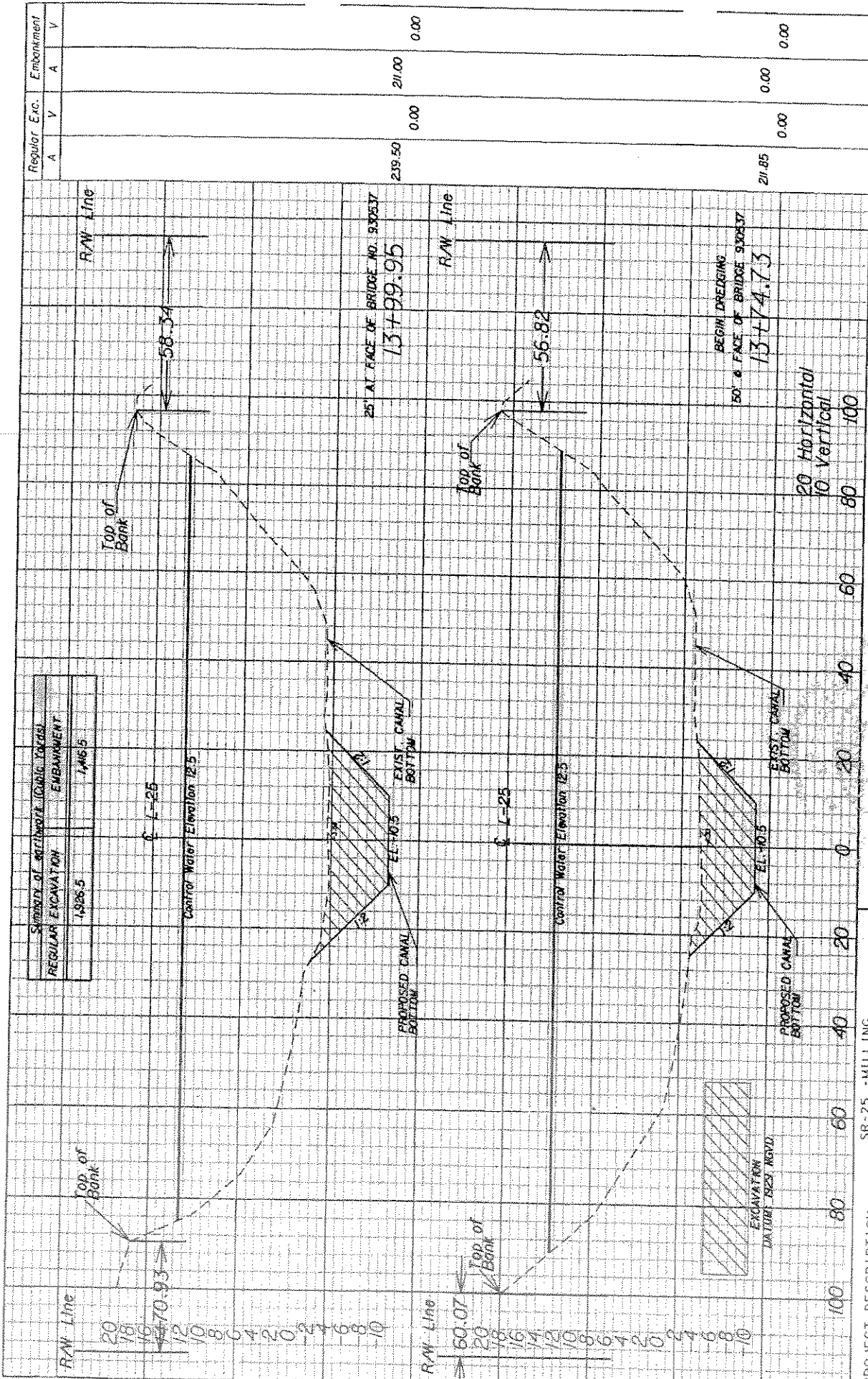


FLORIDA DEPARTMENT OF TRANSPORTATION NAME: BETSY JEFFERS, P.E. SIGNATURE: <i>[Signature]</i> CERTIFICATE NO. 50745		FINANCIAL PROJECT NO. 414061-1-52-01 COUNTY PALM BEACH DER COE DATE: 01/12/07	
PROJECT DESCRIPTION SR-25 - MILLING AND RESURFACING From Hendry County Line to North of SR 80		TWP: 7-43-S R-35-E SEC: 18-21, 27-28, 34-36 LAT: 26°41'45.12" N LONG: 80°48'23.58" W	



FLORIDA DEPARTMENT OF TRANSPORTATION

PROJECT DESCRIPTION	FINANCIAL PROJECT NO. 414061-1-52-01
SR-25 MILLING AND RESURFACING	COUNTY PALM BEACH
From Hendry County Line to North of SR 80	DER
TWP: T-43-S	COE
SEC: 18-21, 27-28, 34-36	WHD
LAT: 26°41'45.12" N LONG: 80°48'23.58" W	DATE: 01/12/07
NAME: BEISSY JEFFERS, P.E.	SHEET 4 OF 10
SIGNATURE: <i>[Signature]</i>	DATE
CERTIFICATE NO. 50745	
3400 W. COMMERCIAL BLVD FT. LAUDERDALE, FL 33309	



FLORIDA DEPARTMENT OF TRANSPORTATION

FINANCIAL PROJECT NO. 414061-1-52-01

NAME: BETSY JEFFERS, P.E.
 SIGNATURE: *[Signature]*
 CERTIFICATE NO. 750745

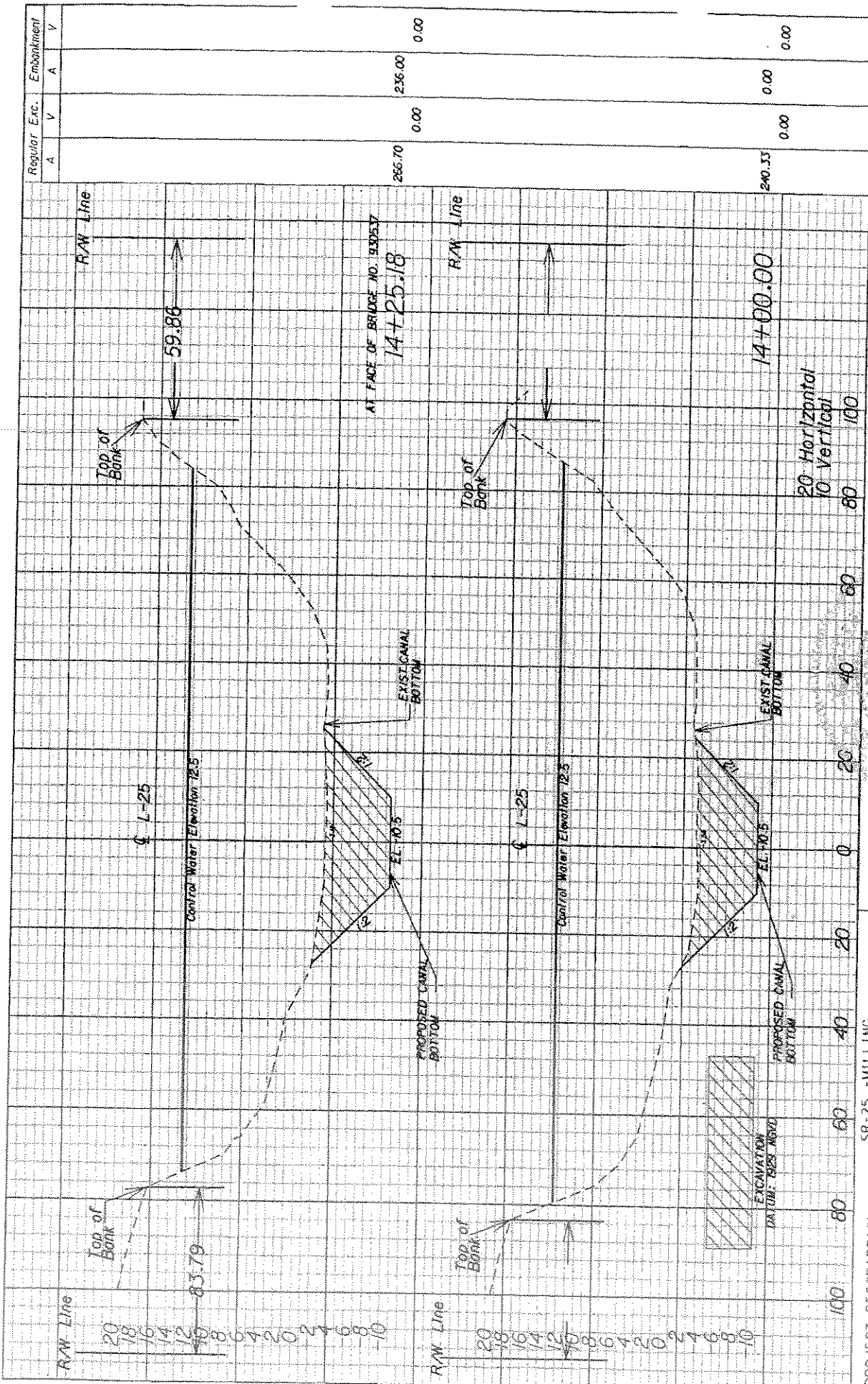
COUNTY PALM BEACH

SHEET 5 OF 10

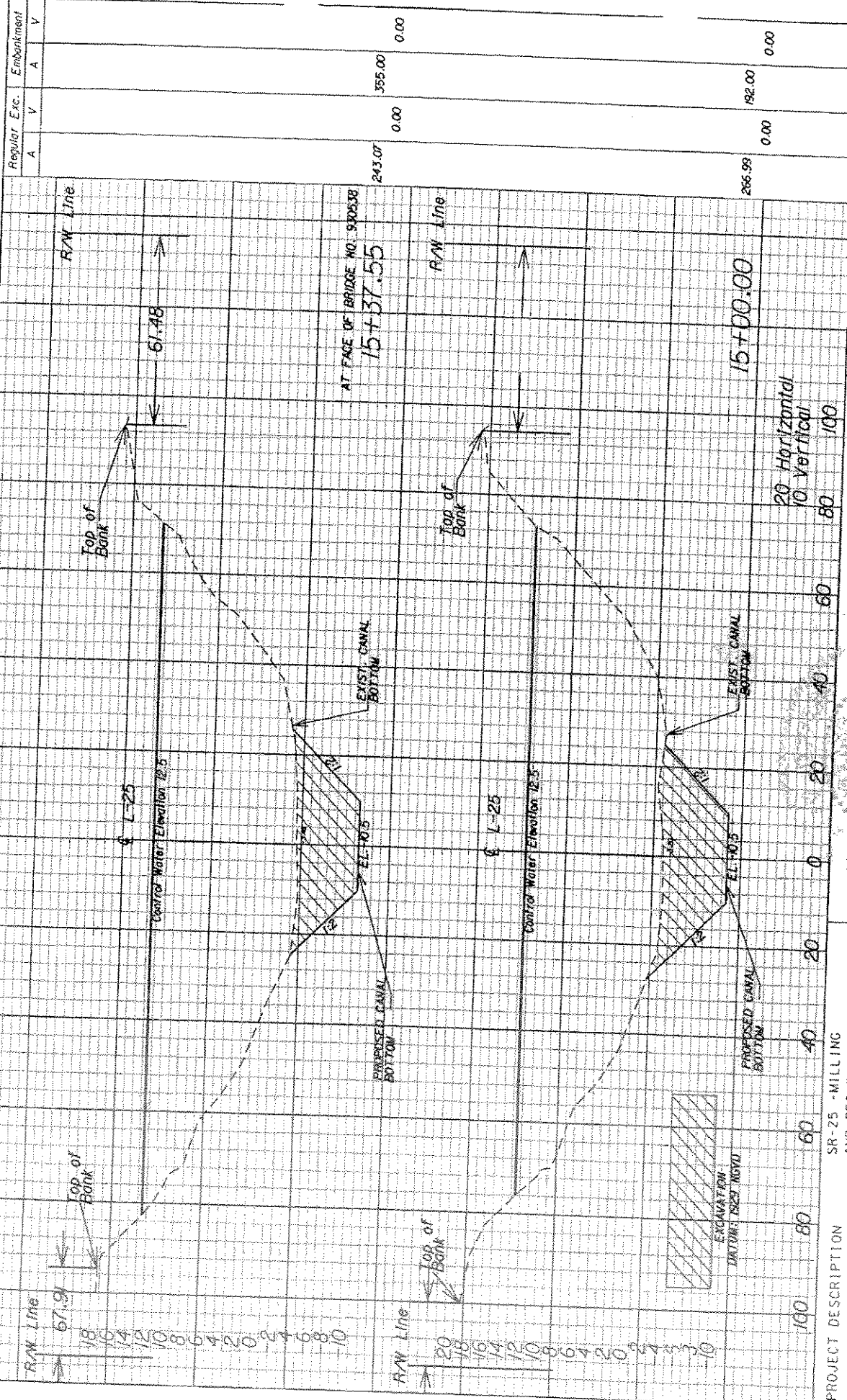
DATE: 01/12/07

COE

PROJECT DESCRIPTION	SR-25 - MILLING AND RESURFACING
	From Hendry County Line to North of SR 80
TWP: T-43-S	RNG: R-35-E
SEC: 18-21, 27-28, 34-36	LAT: 26°41'45.12" N LONG: 80°48'23.58" W

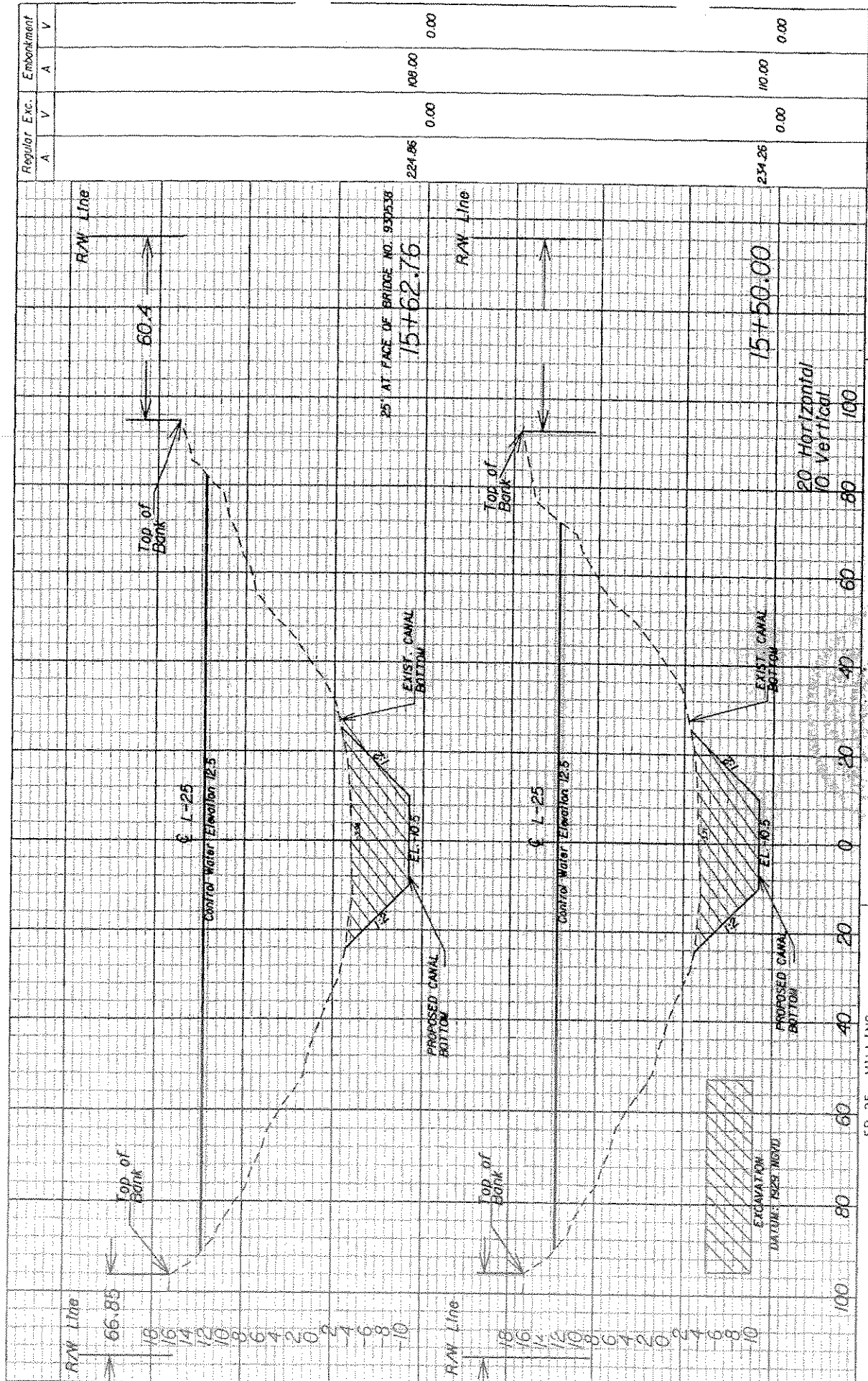


PROJECT DESCRIPTION SR-25 - MILLING AND RESURFACING From Hendry County Line to North of SR 80		FINANCIAL PROJECT NO. COUNTY PALM BEACH DER	
TWP: T-43-S SEC: 18-21, 27-28, 34-36 LAT: 26°41'45.12" N LONG: 80°48'23.58" W		NAME: BETSY JEFFERS, P.E. SIGNATURE: <i>Betsy Jeffers</i> CERTIFICATE NO. 50145	
DATE: 01/12/07		SHEET 6 OF 10 COE DATE	



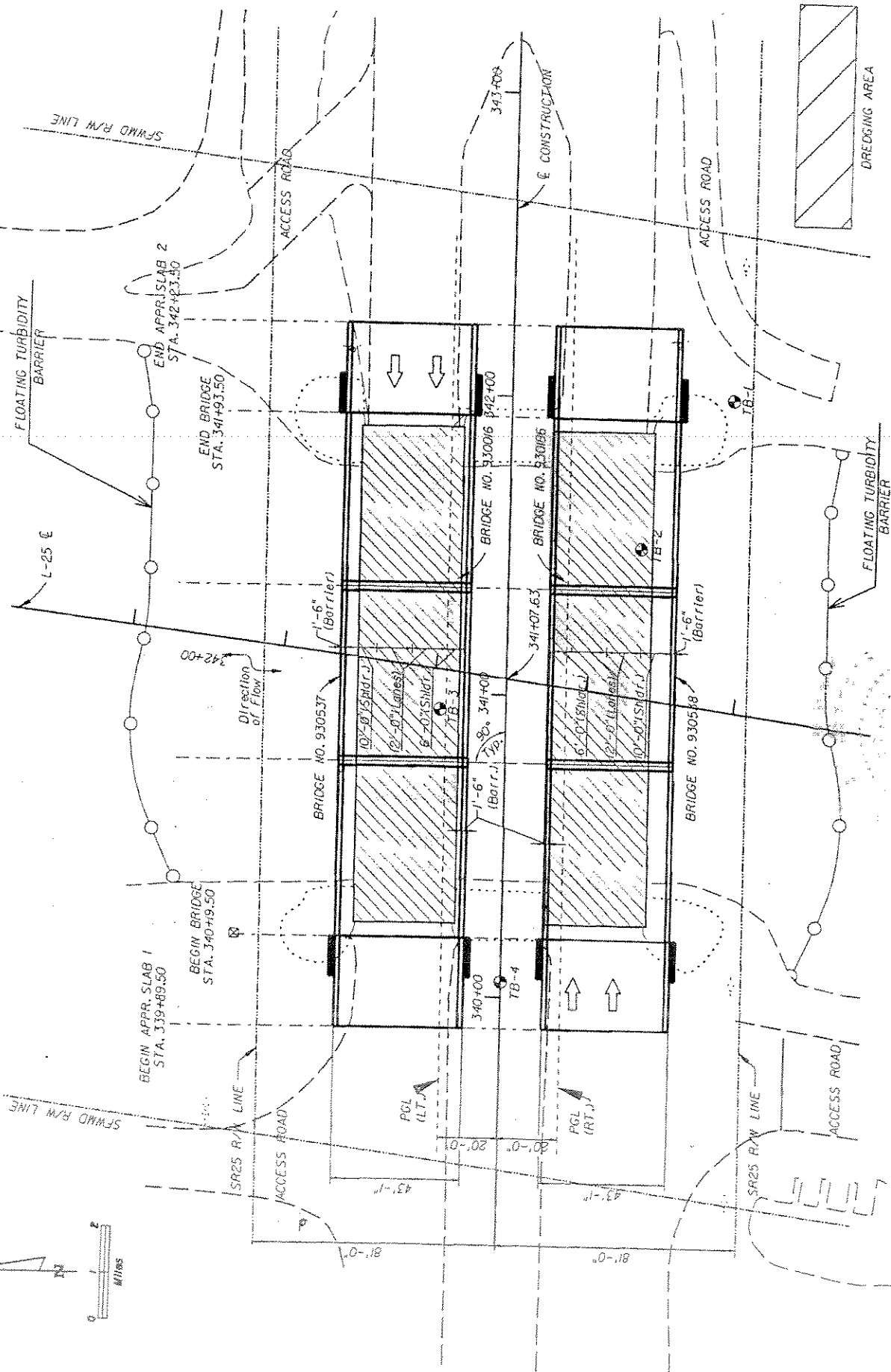
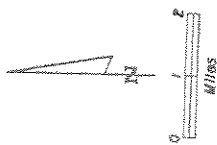
FLORIDA DEPARTMENT OF TRANSPORTATION

PROJECT DESCRIPTION		SR-25 - MILLING AND RESURFACING	
From Hendry County Line to North of SR 80			
TWP: T-43-S	RNG: R-35-E		
SEC: 18-21, 27-28, 34-36		LAT: 26°41'45.12" N LONG: 80°48'23.58" W	
NAME: BETSY JEFFERS, P.E.		3400 W. COMMERCIAL BLVD FT. LAUDERDALE, FL 33309	
SIGNATURE: <i>Betsy Jeffers</i>		COUNTY PALM BEACH	
CERTIFICATE NO. 50745		DER	
DATE: 01/12/07		COE	
FINANCIAL PROJECT NO.		414061-1-52-01	
		SHEET 7 OF 10	
		DATE	



PROJECT DESCRIPTION SR-25 - MILLING AND RESURFACING From Hendry County Line to North of SR 80		FINANCIAL PROJECT NO. 414061-1-52-01	
NAME: BETSY JEFFERS, P.E. 3400 W. COMMERCIAL BLVD FT. LAUDERDALE, FL 33309		COUNTY PALM BEACH	
SIGNATURE: <i>Betsy Jeffers</i> CERTIFICATE NO. 50745		DER	
DATE: 01/12/07		COE	
TWP: 1-43-S SEC: 18-21, 27-28, 34-36 LAT: 26°41'45.12" N LONG: 80°48'23.58" W		SHEET 8 OF 10 DATE	

Regular Exc.		Embankment	
A	V	A	V
224.86	0.00	109.00	0.00
234.26	0.00	10.00	0.00



FLORIDA DEPARTMENT OF TRANSPORTATION

PROJECT DESCRIPTION	SR-25 MILLING AND RESURFACING
From Hendry County Line to North of SR 80	
TWP: 7-43-S	RNG: R-35-E
SEC: 18-21, 27-26, 34-36	LAT: 26°41'45.12" N LONG: 80°48'23.58" W

FINANCIAL PROJECT NO. 414061-1-52-01

COUNTY PALM BEACH

NAME: BEISSY JEFFERS, P.E.
 3400 W. COMMERCIAL BLVD
 FT. LAUDERDALE, FL 33309
 SIGNATURE: *[Signature]*
 CERTIFICATE NO. 50745
 DATE: 01/12/07

DER	CG	SHEET 10 OF 10
COE	WMD	DATE